

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

December 12, 2008

No. 08-30415

Charles R. Fulbruge III
Clerk

SALETA GALLIEN; RUSSELL GRIFFIN; NOAH LAUGHLIN

Plaintiffs-Appellants

v.

CONOCO PHILLIPS COMPANY; LAKE ELLIS

Defendants-Appellees

Appeal from the United States District Court
for the Western District of Louisiana
No. 07-1912

Before HIGGINBOTHAM, BENAVIDES, and STEWART, Circuit Judges.

PER CURIAM:*

The plaintiffs-appellants sought relief from the defendants-appellees under theories of abuse of right and intentional infliction of emotional distress. The district court dismissed their claims with prejudice. It held that insofar as their claims derive from their terminations (in 2005 and 2006) by Conoco Phillips or its contractors, the claims are prescribed. Even if the claims had not been prescribed, it held that the plaintiffs failed to state claims of either intentional infliction of emotional distress or abuse of right, particularly in light

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

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of Louisiana's at-will employment law. Finally, there was and is no "continuing tort" that could emerge from Conoco Phillips' alleged refusal to consider them for renewed employment for the reasons the plaintiffs-appellants allege.

Finding no error in the district court's judgment, we AFFIRM.